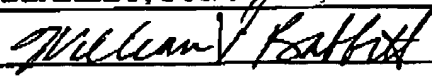



OCT 11 2005

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/027,877
		Filing Date	December 19, 2001
		First Named Inventor	William E. Webler
		Art Unit	3736
		Examiner Name	Jonathan M. Foreman
Total Number of Pages in This Submission	13	Attorney Docket Number	5618P2977

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William Thomas Babbitt, Reg. No. 39,591 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 11, 2005

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Nedy Calderon		
Signature		Date	October 11, 2005

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (M1) 05/04/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Oct-11-05 03:06pm From-B S T Z

310 820 5988

T-032 P.003/014 F-034
OCT 11 2005

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		Complete If Known		
		Application Number	10/027,877	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	December 19, 2001	
		First Named Inventor	William E. Webler	
		Examiner Name	Jonathan M. Foreman	
		Art Unit	3736	
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Attorney Docket No.	5618P2977

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit card
 ☐ Money Order
 ☒ None
 ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s)
 ☒ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
21	25	50.00	\$0.00
2	3	200.00	\$0.00

Multiple Dependent

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	25		Claims in excess of 20
1201	2201	100		Independent claims in excess of 3
1203	2203	180		Multiple Dependent claim, if not paid
1204	2204	150		**Release independent claims over original patent
1205	2205	150		**Release claims in excess of 20 and over original patent
SUBTOTAL (1)				(\$)

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	65		Surcharge - late filing fee or oath	
1052	2052	25		Surcharge - late provisional filing fee or cover sheet	
2083	2083	130		Non-English specification	
1251	2251	60		Extension for reply within first month	
1252	2252	225		Extension for reply within second month	
1253	2253	510		Extension for reply within third month	
1254	2254	795		Extension for reply within fourth month	
1255	2255	1,080		Extension for reply within fifth month	
1401	2401	250		Notice of Appeal	
1402	2402	250		Filing a brief in support of an appeal	
1403	2403	500		Request for oral hearing	
1451	2451	1,510		Petition to institute a public use proceeding	
1480	2480	130		Petitions to the Commissioner	
1807	1807	50		Processing fee under 37 CFR 1.17(a)	
1808	1808	180		Submission of Information Disclosure Stmt	
1809	1809	365		Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	355		For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					
SUBTOTAL (2)				(\$)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William Thomas Babbitt	Registration No. (Attorney/Agent)	39,591
Signature	<i>William T. Babbitt</i>	Telephone	(310) 207-3800
		Date	10/11/05

Based on PTO/SA-17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ 12/15/2004).
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310 820 5988

T-032 P.004/014 F-034
Oct 11 2005

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	10/027,877	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	December 19, 2001	
		First Named Inventor	William E. Webler	
		Examiner Name	Jonathan M. Foreman	
		Art Unit	3736	
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Attorney Docket No.	5618P2977

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit card
 ☐ Money Order
 ☒ None
 ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 ☒ Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
21	25	0	\$0.00
Independent Claims	2	0	\$0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	350	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$) 0.00

2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,680	2254	785	Extension for reply within fourth month	
1255	2,180	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt.	
1809	750	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	700	2810	355	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) _____

SUBTOTAL (2) (\$) 0.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William Thomas Babbitt	Registration No. (Attorney/Agent)	39,591
Signature	<i>William T. Babbitt</i>	Telephone	(310) 207-3800
		Date	10/11/05

Based on PTO/5817 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 12/15/2004.
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REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3736

Our Ref. No.: 5618P2977

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

William Earl Webler

Application No.: 10/027,877

Filed: December 19, 2001

For: METHOD AND APPARATUS FOR
DETERMINING INJECTION DEPTH
AND TISSUE TYPE

Examiner: Jonathan M. Foreman

Art Unit: 3736

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

In response to the Office Action dated August 11, 2005, Applicant respectfully requests entry of the amendments set forth below and consideration of the remarks that follow.